

REMARKS

Claims 36-65 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is respectfully requested.

Applicant would like to thank the Examiner for extending the courtesy of an Interview, which took place on April 25, 2007. During the course of the Interview, Applicant distinguished the present claims from the *Grimlund* and *Upton* references, discussed below. Specifically, Applicant discussed the claimed features of a first/second transmission method, as well as the switching, during interruption phases, the reception of data packets to be detected and the characteristic data packets, where the reception occurs in parallel. At the conclusion of the Interview, the Examiner agreed to withdraw the rejection, pending a formal response.

Per the Examiner's request, Applicant will provide clarifying support for specific claimed features. The specific features are discussed below.

"First/second transmission method" - support for this feature may be found, for example, on page 4, 4th paragraph, of the present specification: "A first transmission method, which is used by a first base station, may, in this case, be a CDMA method, and a second transmission method, which is used by a second base station, may be a GSM method. The present invention may, in this case, be part of an uplink or downlink overall concept for a GSM-UMTS dual-mode mobile radio system."

"Characteristic data packets" - support for this feature may be found in the specification, for example, on page 9, 3rd paragraph from the bottom: "The data packets transmitted by the GSM base stations BS2, such as the frequency correction data packet FB (characteristic data packet, FCCH data packet, Frequency Correction Burst)." *See also* page 10, lines 11-14: "The adjacent channel search also has the aim of detecting a synchronization data packet which is to be detected. This aim also can be achieved by receiving a characteristic frequency correction data packet since, owing to the known frame structure, the position of a synchronization data packet is known once a frequency correction data packet has been received." *See also* FIG. 5, and supporting text.

"Data packets to be detected" - support for this feature may be found in the specification, for example, on page 9, 3rd paragraph from the bottom: "The data packets transmitted by the GSM base stations BS2, such as the frequency correction data packet FB (characteristic data

packet, FCCH data packet, Frequency Correction Burst), the synchronization data packet SB (the data packet which is to be detected, SCH data packet, Synchronization Burst) and the normal data packet are all subject to the same time pattern.” See also page 10, lines 10-11: “The adjacent channel search also has the aim of detecting a synchronization data packet which is to be detected.” See also page 13, first full paragraph:

The expression “the mobile station is switched to reception of data packets which are to be detected and to reception of characteristic data packets” also refers to, for the purposes of this application, and after the normal analogue and digital filtering and, possibly, after derotation, the received data packet being compared (for example, correlated) both with a correlation sequence corresponding to the training sequence of a characteristic data packet and with a correlation sequence corresponding to the training sequence of a data packet which is to be detected. A simultaneous or parallel search is thus carried out for data packets which are to be detected and for characteristic data packets. Other methods also may be used instead of a correlation (for example, FIR, IIR or other filters).

Applicant believes the above exemplary disclosures support the terminology used in the present claims. Should the Examiner require further clarification, Applicant kindly requests the Examiner contact the undersigned for a more speedy resolution.

Claims 36-46 and 56-65 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Grimlund* (WO 94/29981) in view of *Upton* (US Patent 5,784,695). Claims 47-55 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Grimlund* (WO 94/29981) in view of *Upton* (US Patent 5,784,695) and further in view of *Bruckert et al.* (US Patent 5,812,542). Applicant respectfully traverses these rejection. Favorable reconsideration is respectfully requested.

Specifically, the cited art, alone or in combination, does not teach first/second transmission methods as claimed, and further does not teach the features of “switching, during interruption phases, the mobile station to reception of the data packets to be detected and transmitted by the second base station using the second transmission method, wherein the reception of data packets to be detected and the characteristic data packets occurs parallel” as recited in claim 36, and similarly recited in claims 47 and 56 (“simultaneous”).

Regarding *Grimlund*, the Office Action interpreted the “normal mode transmission” (page 8, lines 5-6) and “compressed mode” transmission (page 8, lines 18-22) as a first and second transmission method. While Applicant acknowledges the Examiner’s right to a reasonably broad interpretation, such an interpretation still does not teach the claimed features. Under *Grimlund*, mobile devices operate normally under a “normal mode transmission” (page 8, lines 1-6). When the devices execute a call handover, a “compressed mode” is entered, whereupon idle slots are created within a frame (page 8, lines 7-12; page 9, lines 19-25). Other carrier frequencies are measured and handover is executed only during the compressed mode (page 8, lines 23-25; page 9, lines 19-25). When the handover is completed, the system returns back to a normal mode transmission (page 9, lines 25-26).

Accordingly, *Grimlund* fails to teach or suggest “switching, during interruption phases, the mobile station to reception of characteristic data packets which are transmitted by a second base station using a second transmission method.” Furthermore, *Grimlund* teaches that, in macro-diversity mode (i.e., when more than one base station is connected), “it is necessary that all connected base stations BS1 and BS2 employ the same transmission mode and duty cycle for any given frame” (page 11, lines 7-10).

With regard to the parallel reception of “characteristic data packets” and “data packets to be detected,” *Grimlund* discloses a CDMA communication handoff where the characteristic data packet in a “compressed mode” is received first (i.e., serially), processed, and then continues with obtaining the data packets to be detected (page 9, lines 19-25). *Grimlund* makes clear that the “make-before-break” configuration (1) maintains communication with the old base station(s), (2) establishes a new link during the idle part of the frame, and (3) establishes a new link, and then (4) synchronizes with the new link. Thus, *Grimlund* does not teach the aforementioned parallel reception.

Regarding *Upton*, the reference merely teaches the synchronization of a second channel in a CDMA satellite-based communication, where handover is initiated without any information received from the mobile station (col. 6, lines 5-7). Handover is completed by “scheduling” a handover at a specific time (col. 6, lines 14-30). Applicant submits that the disclosure of *Upton* teaches away from the disclosure in *Grimlund*, as *Upton* would not allow for a “compressed

mode" handover. For at least these reasons, Applicant submits the rejection is improper and should be withdrawn.

In light of the above, Applicants respectfully submit that claims 36-65 are both novel and non-obvious over the art of record. Accordingly, Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Examiner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0112740-197) on the account statement.

Respectfully submitted,

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